

ATTACHMENT 1

RESOLUTION 2023-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, ADOPTING AND AMENDING A CITY FEE SCHEDULE

WHEREAS, state law authorizes local agencies to collect fees to defray the costs of providing programs and services; and

WHEREAS, the City of San Dimas provides a variety of services to the general public and other governmental agencies; and

WHEREAS, the City desires to recover direct and indirect management support costs associated with the costs of providing services; and

WHEREAS, to continue to meet these goals and interest, the City proposes to establish appropriate fees for its programs and services as set forth in the exhibit to this resolution; and

WHEREAS, the fees are intended to be up to but not exceeding actual cost recovery; and

WHEREAS, a user fee study and cost allocation plan were created and reviewed by City Council to establish the actual cost to provide services for applicable fees.

WHEREAS, notice of a public hearing before the City Council of the City of San Dimas concerning these fees was given in accordance with all applicable State and local laws, including but not limited to Government Code section 6062a, 66016, and 66018; and

WHEREAS, on September 1st. and September 8th, 2023, the City Council of the City of San Dimas published notice of a public hearing concerning new fees to be held on September 26, 2023; and

WHEREAS, the cost estimates and fee calculations applicable to the new fees were presented to the City Council at the September 26th 2023 public hearing, at which members of the public were able to present written and oral comments regarding the fees and

WHEREAS, the City Council has considered the information and public testimony presented in the public hearing, the new fees set forth in the exhibit, staff's analysis of the costs of providing the services for which the fees are charged, the staff report, and any written correspondence relating to this item, all of which are included in the public record and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Dimas that:

SECTION 1. RECITALS. The above recitals are true and correct and incorporated herein as if set forth in full.

SECTION 2. FINDINGS. The City Council finds and determines that the fees for services and the billing and overhead rates established by this Resolution do not exceed the estimated reasonable costs of services for which they were imposed and otherwise comply with the provisions of California law and specifically Government Code Sections 66000 et seq.

SECTION 3. CEQA. The fees for services and the billing and overhead rates are statutory and categorically exempt from the requirements of the California Environmental Quality Act (CEQA). Setting these fees fits within the statutory exemption for City decisions involving rates, tolls, or other charges contained within Public Resources Code Section 21080(b)(8) and Section 15273 of the CEQA Guidelines.

SECTION 4. ADOPTION OF NEW FEES. The City Council hereby approves, adopts, and establishes the new fees for programs and services set forth in Exhibit 1.

SECTION 5. ADOPTION OF THE SEPTEMBER 2023 USER FEE STUDY AND COST ALLOCATION PLAN. The City Council hereby approves the September 2023 User Fee Study and Cost Allocation Plan set forth in Exhibit 2, produced by Willdan Financial Services as evidence of the cost to provide services associated with applicable fees in the fee schedule Exhibit 1.

SECTION 6. PREVIOUSLY APPROVED FEES. The City Council has previously approved, adopted, and established fees. To the extent that a specific fee was inadvertently left off this Exhibit, nothing in this Resolution will eliminate such authorization to assess such fee. In all other respects, this Resolution replaces and supersedes the fees adopted by Resolution 2023-46.

SECTION 7. EFFECTIVE DATE. The fees set forth in the **Exhibit 1** to this Resolution shall take effect December 4th 2023.

SECTION 8. AUTOMATIC ANNUAL COST OF LIVING FEE INCREASES. All fees set forth in the attached Exhibit to this Resolution shall be increased by the Consumer Price Index ("CPI") on July 1st of each year, provided that the proposed CPI increase is necessary to recover the cost of providing the service for which the fee is charged. These increases shall be based on the CPI for all urban consumers for the Los Angeles-Long Beach-Anaheim area, published by the United States Department of Labor, Bureau of Labor Statistics for the period of April of the previous year through April of the current year; provided, however, that no inflationary adjustment may exceed the cost of providing the service for which the fee is imposed. The City Manager shall approve the annual increase in fees administratively and present the increased fees to the City Council as an informational item. CPI adjustments shall not occur to any penalties or taxes that may be listed in Exhibit 1.

SECTION 9. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phase, or portion of this Resolution is, for any reason, held to be invalid by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have adopted this Resolution,

and each section, subdivision, sentence, clause, phrase, or portion of this Resolution irrespective of the fact that one or more provisions may be declared invalid.

SECTION 10. The Mayor shall sign this resolution, and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED AND ADOPTED this 26th day of September, 2023.

Emmett G. Badar, Mayor

ATTEST:

Debra Black, City Clerk

I, Debra Black, City Clerk, hereby certify that Resolution 2023-58 was adopted by the City Council of San Dimas at its regular meeting of September 26, 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Debra Black, City Clerk